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LETTER DATED 7 JANUARY 1993 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The purpose of this letter is to report to you and through you to the members of the Security Council on the latest developments relating to implementation of the provisions of the Peace Accords for El Salvador concerning the purification of the Armed Forces (S/23501, annex, chap. I, sect. 3).

It will be recalled that in my letter to the President of the Security Council of 13 November 1992 (S/24805) I reported on arrangements which had been successfully concluded with the Government and the FMLN to bring the armed conflict in El Salvador formally to an end on 15 December 1992. Those arrangements included agreement by President Cristiani to complete implementation of the recommendations of the Ad Hoc Commission on purification of the Armed Forces within a specified time-frame. In particular, President Cristiani had agreed to inform me by 29 November 1992 of the administrative decisions he had taken on this matter. As I subsequently reported to the Security Council in paragraph 3 (d) of my report of 23 December 1992 (S/25006), the administrative decisions were punctually communicated to me by President Cristiani. In his letter, President Cristiani informed me that he had adopted administrative decisions concerning all the officers included in the Ad Hoc Commission's report. These decisions would be made known on 31 December 1992 at the latest and would become effective as of 1 January 1993.

On 5 January 1993, in my absence in Africa, the Under-Secretary-General for Peace-keeping Operations and my Senior Political Adviser received, by and of Dr. Oscar Santamaria, Minister of the Presidency, and General Mauricio Vargas, Deputy Chief of Staff of the Armed Forces of El Salvador, a letter dated 1 January 1993 in which President Cristiani conveyed to me details of the measures adopted to implement the recommendations of the Ad Hoc Commission.

The recommendations of the Ad Hoc Commission concerned 103 officers. One of these was no longer a serving member of the Armed Forces. Of the remaining 102 officers, it was recommended that 26 should be transferred to other

functions and 76 should be discharged. President Cristiani informed me in his letter that the following measures had been adopted in relation to 94 of these 102 officers:

- (1) Twenty-five officers had been transferred to other functions;
- (2) Four officers had been discharged for disciplinary reasons (one of them being the 26th officer recommended for a transfer to other functions);
- (3) Nineteen officers had been discharged for administrative reasons;
- (4) Thirty-eight officers had been placed on leave with pay, pending completion of the procedures for their retirement which would take place within a period not exceeding six months;
- (5) Seven officers had been appointed as Military Attachés to Salvadorian embassies abroad;
- (6) One officer had, for personal reasons, been permitted to remain in active service until he retired on 1 March 1993.

President Cristiani's letter went on to say that administrative decisions relating to the other eight officers would be deferred during "the period of transition", which is understood to mean during the remainder of President Cristiani's mandate as President of the Republic.

Enclosed with President Cristiani's letter were copies of the administrative orders relating to categories (1), (2), (3), (4) and (5) above. I have verified that the names correspond with those in the report of the Ad Hoc Commission.

Having carefully studied President Cristiani's letter and its enclosures, I have come to the following conclusions:

- (a) The measures adopted in relation to categories (1), (2) and (3) above comply fully with the recommendations of the Ad Hoc Commission;
- (b) The measures adopted in relation to categories (4) and (6) also comply broadly with the recommendations of the Ad Hoc Commission. The officers concerned will not perform any official functions with effect from 1 January 1993, but their discharge will not become effective until the legal formalities for their retirement are complete, which could in some cases take as long as six months. I nevertheless consider that these measures can be accepted as satisfactory in the circumstances;
- (c) The appointment of the seven officers in category (5) to Military Attaché posts does not comply with the Ad Hoc Commission's recommendations which require these officers to be discharged;
- (d) The deferral of decisions relating to the remaining eight officers is similarly not in compliance with the Commission's recommendations.

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I have from the outset been conscious of the particular difficulty and sensitivity of this aspect of the Peace Accords. As indicated above, I am ready to accept as satisfactory the measures adopted and implemented by the Government of El Salvador with respect to 87 of the 102 officers covered by the Ad Hoc Commission's recommendations, even though a number of them do not conform in all respects with those recommendations. However, the measures adopted in respect of the other 15 officers do not comply with those recommendations and are thus not in conformity with the Peace Accords. The mandate entrusted to me by the Security Council requires me to seek full compliance by each side with all the commitments it has entered into in signing the Peace Accords. I have therefore asked President Cristiani to take early action to regularize the position of the 15 officers in respect of whom the Ad Hoc Commission's recommendations have not yet been fully implemented.

I shall continue to report to the Security Council as appropriate on the implementation of this and other aspects of the Peace Accords.

(Signed) Boutros BOUTROS-GHALI
